

Creditor: \_\_\_\_\_

Debtor: \_\_\_\_\_

and

Garnishee: \_\_\_\_\_ Case No. \_\_\_\_\_

**Small Claims  
Non-Earnings Garnishment  
Exemption Notice**

To the debtor:

The creditor has been awarded a judgment against you or your spouse as indicated below. That judgment has not been fully paid. The creditor has now filed a garnishment proceeding against your non-earnings from the garnishee. This means that the creditor is seeking to take some of your income or assets to satisfy part or all of the judgment against you or your spouse.

The total amount of the creditor's claim is as follows:

County of Judgment	Case Number	Date of Judgment
Unpaid balance on judgment		\$
Unpaid post judgment interest		\$
Estimated costs of this non-earnings garnishment		\$
<b>Total amount owed by the debtor</b>		<b>\$</b>

By law, you are entitled to the following exemptions:

- 75% of the debtor's net income for each one week pay period [Wis. Stats. §815.18(3)(h)].
- Depository accounts in the aggregate value of \$5,000 [Wis. Stats. §815.18(3)(k)].
- Veteran's benefits [Wis. Stats. §45.03(8)(b) or 38 USC 501-562].
- Assistance grants [Wis. Stats. §49.96].
- Pension funds and benefits from 1<sup>st</sup> class cities and counties of populations over 500,000 [Wis. Stats. §62.63(4) and Ch. 201, Laws 1937, s. 11].
- Worker's compensation awards [Wis. Stats. §102.27(1)].
- Unemployment insurance benefits [Wis. Stats. §108.13(2)].
- Partner's rights in specific partnership property [Wis. Stats. §178.21(3)(c)].
- Tenant's housing corporation lease and stock interests [Wis. Stats. §182.004(6)].
- Income or assets required to be paid by customers as restitution [Wis. Stats. §425.106(1)(d)].
- Insurance company deposits with the State Treasurer [Wis. Stats. §601.13(7)].
- Fraternal benefits [Wis. Stats. §614.96].
- Child support, family support or maintenance payments [Wis. Stats. §815.18(3)(c)].
- Federal disability insurance payments [Wis. Stats. §815.18(3)(ds)].
- Fire and casualty insurance proceeds [Wis. Stats. §815.18(3)(e)].
- Fire and police pension and benefits [Wis. Stats. §815.18(3)(ef)].
- Life insurance contract and accrued dividends, interest or loan value as provided by statute [Wis. Stats. §815.18(3)(f)].
- Life insurance claims, personal injury or wrongful death claims [Wis. Stats. §815.18(3)(i)].
- Retirement and public employee trust funds [Wis. Stats. §§40.08(1) and 815.18(3)(j)].
- Federal war pensions [Wis. Stats. §815.18(3)(n)].
- Crime victim award [Wis. Stats. §949.07].
- College savings accounts [Wis. Stats. §815.18(3)(p)].

- Clothing, jewelry, household furniture and furnishings [Wis. Stats. §425.106(1)(b)].
- Consumer goods held primarily for personal, family, or household use not to exceed \$12,000 [Wis. Stats. §815.18(3)(d)].
- Any other exemptions permitted under the law.

There are no exemptions to this garnishment if the debt arises out of one of the following obligations:

1. A debt amortization under Wis. Stats. §128.21 or a bankruptcy order under 11 USC 1301 to 1330;
2. For the support of any person; or,
3. Unpaid taxes.

If you qualify for a complete exemption or a limitation in the amount subject to garnishment, you must give or mail a copy of the completed enclosed debtor's answer form to the court, the creditor, and the garnishee on or before the date and time scheduled for the parties to appear in court on the garnishment action.

### **IF YOU NEED ASSISTANCE, CONSULT AN ATTORNEY**

If you have garnished income or assets that are exempt, limited or subject to a defense, the sooner you file your answer form or seek relief from the court, the sooner such relief can be provided.

### **PENALTIES**

If you wrongly claim an exemption or defense in bad faith, or if the creditor wrongly objects to your claim in bad faith, the court may order the person who acted in bad faith to pay court costs.